

ORGANIZATIONAL MEETING

November 20, 2012

The Organizational Meeting of the 2012-2014 Council-Elect of the County of Kaua'i was called to order by Jay Furfaro at the Council Chambers, 4396 Rice Street, Room 201, Līhu'e, Kaua'i, on Tuesday, November 20, 2012 at 8:41 a.m., after which the following members answered the call of the roll:

Councilmember-Elect Tim Bynum
Councilmember-Elect Gary L. Hooser
Councilmember-Elect Jay Furfaro
Councilmember-Elect Ross Kagawa
Councilmember-Elect Nadine K. Nakamura
Councilmember-Elect JoAnn A. Yukimura

Excused: Councilmember-Elect Mel Rapozo

Mr. Furfaro: I would like to call to order the Organizational Meeting of the Council Elect in preparation of the members being sworn in on December 3, 2012 at Noon. I do want to share with you that the members elected to the Kaua'i County Council for this term which is from December 3, 2012, are conducting an open meeting for the public, so that they can give comment about our organizational review and the structure of those Committees in which we will be organizing.

You will be given three (3) minutes at the beginning of today's meeting, once we have identified a Presiding Officer for the meeting, that is our first order of business. I think it is appropriate also to say that unfortunately, Mr. Rapozo is traveling on business and we had indicated originally – we picked this date anticipating his return, but he is unable to participate in today's meeting due to some unforeseen travel delays. But again, this is the public Organizational Meeting and the final vote occurs on December 3, 2012.

First, I would like to say congratulations to everyone at the table. Mr. Hooser, welcome back. Mr. Kagawa, we welcome you to the body and congratulations on your election.

1. Appointment of the Presiding Officer *pro tem* for the organizational meeting.

Ms. Nakamura moved to nominate Mr. Furfaro as the Presiding Officer *pro tem* for the Organizational Meeting, seconded by Ms. Yukimura.

Mr. Furfaro: Is there any discussion or further nominations?

The motion to nominate Mr. Furfaro as the presiding officer pro tem for the Organizational Meeting was then put, and carried a vote of 6:0:1 (*Mr. Rapozo was excused*).

Mr. Furfaro: We would also like to start by a process in which we will nominate a new Chair, we will nominate a new Council Vice Chair in sequence, and then we will go to assignments of the Committees and Committees Chairs. When we get to item three (3) on our agenda, I would like to present the discussions that occurred individually with members as to their concerns with structuring the new Committees, so that we can have a full discussion on that. On point four (4), we will pass out the current rules for you to have your copies and to be prepared to identify any changes, but the final rules will be reviewed by the Committees once they are selected and changed as recommended. On the first item – public testimony. As I have gone over the agenda as to how we are going to approach this meeting, is there anyone in the public that would like to address the Council Elect?

There being no objections, the rules were suspended.

GLENN MICKENS: I want to say “hello,” to Gary, Ross, and members of the Council. You have been here before for quite awhile. Ross, my baseball buddy. I have a short testimony, you do not have a copy of it but I am sure that I can do it in three (3) minutes. We have respectfully asked that the public be given fifteen (15) minutes to speak on any government topic they wish before regular business begins at every Council and Committee Meeting. This will be a modification of the way it is now. So many important issues disappear away from our agenda and unless they are again put on the agenda, the public has no way of bringing it up. Things like the Solid Waste Program – nine (9) million dollars a year, the Kilauea roof item, the million dollars a year we are putting into the Golf Course that is a so-called “Enterprise Fund,” the five hundred thousand dollars that disappeared from the failed Drug Center in Hanapēpē, and on and on. So many issues need addressing and this is the way the public can be involved at their time and not at the Administration or Council’s request. One (1) other thing also, we ask that all honoree events be listed on the agenda, so that the public is aware of the time they need to come if they do not want to be at the honors program. I know we have asked this many, many times that it be put on the agenda and you say it is not a regular thing and not listed on the agenda, but it is there. The people had to be advised that it was going to be there, the people they are honoring and etc., I do not see any real reason that item cannot be listed on the agenda for the people that are coming here, getting off of work or whatever, they may not want to sit here for an hour or two (2) hours while you are honoring the baseball program, football

program, or whatever it happens to be. We, the public, respectfully request that it be listed as one (1) of the agenda items. Thank you very much.

Mr. Furfaro: Mr. Mickens, I just want to get some clarification. Two (2) years ago, we changed our rules to allow any member of the community that wanted to give testimony on the Consent Calendar or the rest of the calendar for the day, a specific time of 8:30. Allow them to give testimony for us to receive for a total of three (3) minutes. Not to exceed a total of six (6) speakers during that eighteen (18) minute period. Are you expressing to us something that would go to the Rules Committee, that you would like the public to speak at the beginning up to fifteen (15) minutes?

Mr. Mickens: No. If there is five (5) people in the audience... you get a total of fifteen (15) minutes total for whatever matter...

Mr. Furfaro: That is why I need clarification.

Mr. Mickens: But not the way it is now. Now, you can speak on anything on the agenda, obviously, but it has to either be on the agenda – the Consent Calendar. We are asking that it be anything to do with the government. I am not saying some outer space program or something that is going to waste your time, but things that have come up and have just died and the public would have a chance to bring it up again.

Mr. Furfaro: That is what I needed the clarification and you have helped me.

Mr. Mickens: Okay.

Mr. Furfaro: It is not the three (3) minutes per speaker, it is the fact that they want to speak on any item which is not even on the agenda. I will ask our Attorney's to look at that because it needs to comply to some OIP issues, but I got your testimony clear now, thank you very much.

Ms. Yukimura: Thank you, Glenn for your testimony. I have two (2) questions. One (1) when you say "we" are you speaking for other persons as well?

Mr. Mickens: People of the public, general.

Ms. Yukimura: Okay.

Mr. Mickens: People, I am associated with.

Ms. Yukimura: The items you have mentioned as wanting to speak on like the Kilauea Gym and so forth, you do not feel that you had time to speak on it when it has been on the agenda? It has been on the agenda often.

Mr. Mickens: True. It did come on the agenda, but you gave it two (2) months or something to come back with a thing, and now you are giving them six (6) more months... and it kind of dies. Not particularly that one... the Kilauea Gym thing has been on the agenda a few times, but there are issues like that five hundred thousand dollars out there that just dropped off and never heard anymore about it... what happened to that money? The Swinging Bridge, these people want to find out something that is going to happen with that thing, and unless it is on the agenda, obviously, they cannot come here and talk about it. I think if they had the chance to be able to come here at their convenience and be able to talk about it, I think it will be much more convenient for them.

Ms. Yukimura: Okay. Thank you very much.

Mr. Furfaro: Glenn, I have to make sure that I share this with you. The five hundred thousand that you talked about, that item is dead. There was no misappropriation of funds. I made a whole presentation on that. I would be happy to meet with you again. That money lapsed back into the CIP.

Mr. Mickens: But the people that sat here that night from Kilauea questioned that... they could not demolish anything, nothing could be done, so they wanted to know where the five hundred thousand dollars went.

Mr. Furfaro: I am only questioning and responding to you about your comment about the five hundred thousand dollars. I will be glad to make time for you and others to go over and reconcile that account. I will even bring over someone from the Administration, I will be glad to. I think we have to be very select when we talk about that money. It lapsed into the CIP - that was it.

Mr. Mickens: I was basically using it just an example and maybe I used the wrong example, but that was just an example of what I think the public has the right to come up here and bring up at their convenience.

Mr. Furfaro: I understand. Again, I have met with you and Ken before, and I will be glad to do it again.

Mr. Mickens: May I say one (1) more thing? I would appreciate it if the Councilmembers have a question that they would address us while we are sitting here, do not called the meeting back to order, have us sit there, and we cannot respond. If there is a question to be asked, we would like the courtesy of having the question asked to us while we are here. If you call the

meeting back to order, we cannot respond. If you are saying something that we disagree with or cannot answer, we cannot answer that from the audience.

Mr. Furfaro: Thank you for the feedback and we will try to do a better job at that.

Mr. Bynum: Glenn, on that topic, if I have a question for you, I will ask it while you are up there. If I have a comment about what you have said, under our rules, it is appropriate for us to call the meeting back to order, and then I will make a comment. That is the appropriate way to do it.

Mr. Mickens: According to the rules?

Mr. Bynum: According to the rules.

Mr. Mickens: But the rules can be changed.

Mr. Bynum: Well, I do not think with public testimony – the intent is not to get into a back and forth dialogue based on what your priorities are. And this is the comment I was going to make and I will make it now, I understand the desire to have an open agenda to discuss it but we are governed by the Sunshine Law. If a member of the public brings up something that is not on our agenda, then it puts us at a disadvantage because you can say whatever you want and we cannot legally respond. In our rules, there is a way for members of the public to petition, to have subjects put on the agenda, and our Chair has been very accommodating to those desires, both from the public and Councilmembers. Because of the Sunshine Law, the mechanisms are a little bit delayed but that is for the protection of the general public. Do you understand that if you can comment about anything that is not even on our agenda, it would be illegal for us to respond and that would put us at a disadvantage?

Mr. Mickens: Even if it had been on a previous agenda?

Mr. Bynum: Yes.

Mr. Mickens: And it just got lost?

Mr. Bynum: Yes, because we adhere to the Sunshine Law.

Mr. Mickens: Does the SunShine Law just pertain to this Council, not the other municipalities?

Mr. Bynum: It pertains to all of our Boards and Commissions, all of the County Councils; unfortunately it does not pertain to the State Legislature. We had many difficulties based on that. In their wisdom they exempted themselves from the constraints they put on the public... in Sunshine Law for virtually everywhere else in the State – Board of Regents, all of those people. You have been watching this Council long enough to know how much of a difficulty that puts us in... they passed laws like Act 55 and we do not even know it, because it happens in just a few hours. That is why the Sunshine Law is there, so we cannot have a whole big dialog we here and make decisions that the public is not even aware of. My main point was, if we allow public to testify on anything upfront, then we cannot respond. We do have in our rules for citizens to petition to put things on the agenda and as I have said under Council Chair Furfaro, he has been extremely accommodating of those kinds of requests. I would think you would agree with that.

Mr. Mickens: Yes. My question again to you was, is the Sunshine Law dictated to this Council – to Hawai'i only... to the other municipalities... do they have their own Sunshine Law? Because they can do it, I have seen it.

Mr. Bynum: In the State of Hawai'i, from my understanding and the Attorney's are nodding back there, the Sunshine Law applies to all Boards and Commissions and County Councils in the State of Hawai'i.

Mr. Mickens: Only the State of Hawai'i?

Mr. Bynum: Well, it is a Hawai'i State law.

Mr. Mickens: Right, right.

Mr. Bynum: Other States have similar laws but we are governed by H.R.S. – Hawai'i Revised Statutes. All Councilmembers have been diligent and it is awkward, it makes governing more difficult, it takes longer to come to decisions, but it is a way to allow the public to fully engage in the process.

Mr. Mickens: Well you definitely answered my question if in fact, the Sunshine Law of the State of Hawai'i is different than other States, and they can have a different Sunshine Law – if that is true, then I can completely understand what you are saying about the public. Because it is not agenda'd, it is not under the Sunshine Law, the public will not have the right, even if it had been on the agenda two (2) years or three (3) years ago, it has to be on the agenda at that particular time. Do I hear you right?

Mr. Bynum: That is correct. The State has an Agency that is called the Office of Information Practices that any citizen can ask questions of. I know I have personally asked for their guidance a number of times since I have been a Councilmember, so not only do we have this Law that we have to abide by – that is in the public's best interest in my opinion, but we also have a State Agency to help us interrupt that Law when we have difficulties or when we have questions.

Mr. Mickens: But in the other instance, rules can be changed?

Mr. Furfaro: Glenn...

Mr. Bynum: And this is why I save my comments until after because it is not really appropriate during public testimony, to get into this back and forth dialogue.

Mr. Mickens: But at least you are answering me... we do have a dialogue. If I am sitting there, I cannot have this dialogue and that is where my problem comes in. I appreciate you having a dialogue with me.

Mr. Bynum: Democracy is cumbersome, but if we allow that to happen in each and every instance, our meetings would be hours and hours long.

Mr. Furfaro: Glenn, I will get you the OIP opinion from 2002 when I first got on the Council. I will get that and will share that with you. Any other questions, I will be glad to direct to our legal people. I want to make sure you understand that many times over the last two (2) years, I have reminded you that... and I have given you broader liberties...

Mr. Mickens: You have.

Mr. Furfaro: ...as Mr. Bynum has said, we can only respond to you only on the items that are on the agenda. I will get you that 2002 clarification. Is there anymore testimony for this Council-Elect Meeting?

KEN TAYLOR: Congratulations to Ross and Gary for their victories in the Election. I do have a problem... well, before I get started will we be able to come back and talk on item four (4)?

Mr. Furfaro: No. Your testimony should be submitted to us now. This is a Council-Elect Organizational Meeting. We will take any testimony you want to give us now.

Mr. Taylor: Alright. First of all, I do have a problem with this meeting. One must remember that decision making is not just the vote. A very important part of decision making is decision opinions, back and forth that take place before the voting. I understand you are not voting today but you are doing the discussions, opinions, back and forth, and setting policy or what is going to be happening. I find it no different than arguing over "may" and "shall." As far as the items on your agenda in reference to rules and regulations, I again think that the fifteen (15) minute public comment is an important opportunity for the public to raise issues and concerns that they have in the way of a public forum. Good government is open government, that they have an opportunity to ask or raise concerns. I understand that you cannot dialogue back and forth with it but I know in California, I believe that the Sunshine Law is much more stringent than it is here in Hawai'i. Many municipalities all over the State have public opportunity to speak. I want to just read you what is on the agenda – posted on the agenda under public comment for the County of Santa Barbara. *"Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. The public comment period is reserved for comment on matters within the subject matter jurisdiction of the Board of Supervisors. Each person may address the Board for up to three (3) minutes at the discretion of the Chair, for a total public comment period of no more than fifteen (15) minutes."*

Mr. Furfaro: Ken, that is your first three (3) minutes, but please continue.

Mr. Taylor: "When testifying before the Board of Supervisors, personal attacks and other disruptive behavior are not appropriate." I am saying there is absolutely no reason why the public comment period... in many cases – in most cases in my experience in the past has been people come to the Council Meeting and ask in a public forum – open government for you to consider putting something on the agenda in the future or addressing some issue or clarification. I think it is very appropriate and as I say it happens all over the Country and they all operate under the Sunshine Law of one or another. I am just saying that California – what they call a Brown Act in California is much more stringent than Hawai'i and so if they can do it, I see absolutely no reason in the world why it cannot be done here. As I said, good government is open government. Allowing the public the opportunity for fifteen (15) minutes – you folks on an occasion waste more than fifteen (15) minutes on an item that is really of little importance. That is my opinion. I think you should allow the public that small amount of time in a public forum to address issues of concern to them. Thank you.

Mr. Furfaro: Thank you for your comments. Is there anyone else that would like to speak on the Council Elect Meeting?

There being no objections, the meeting was called back to order, and proceeded as follows:

Ms. Yukimura: Mr. Chair, may I request a personal privilege before we go into organizing?

Mr. Furfaro: Yes.

Ms. Yukimura: I just wanted to offer my apologies to you and other Councilmembers, and the members of the public for being late this morning. I was up till 2:00 a.m., working on a Housing Amendment for our Committee work, subsequent to this meeting and also working with Housing Director Kamuela Cobb-Adams this morning. In focusing on that, I forgot the meeting was at 8:30.

Mr. Furfaro: Thank you for the explanation. We will move on with the meeting. The next item on the agenda today is the selection of the Council Chair for the 2012-2014 term.

2. Selection of Council Chair and Council Vice Chair for the 2012 – 2014 Council term.

Ms. Yukimura moved to nominate Jay Furfaro as Council Chair for the 2012-2014 term, seconded by Ms. Nakamura.

Mr. Furfaro: Are there any other nominations? If not, I will close the nominations and before I call for the vote, thank you very much for the nomination.

Ms. Yukimura: I moved that the nominations be closed and it be unanimous... well, we should have a discussion first.

Mr. Furfaro: You have the floor.

Ms. Yukimura: Yes Chair. I appreciate your leadership in the past and I think that you will be a good Chair for us into this new term. That is my reason for nominating you.

Mr. Furfaro: Thank you very much. Any other comments?

Mr. Hooser: I just had a question. Is this a "straw vote" or something?

Mr. Furfaro: Essentially.

Mr. Hooser: Yes, since we are not sworn in. And we will make that final vote on December 3, 2012?

Mr. Furfaro: Yes.

Ms. Yukimura: And I thank Councilmember-Elect Hooser for clarifying that because it is troubling to me that Councilmember-Elect Rapozo is not present. It is appropriate that the final decision will be made on December 3, 2012 during Inauguration.

Mr. Bynum: I just wanted to say that I support this. During this term, the Council Chair has done tremendous work in reorganizing the Council, fully staffing the Council. At this table and with Mr. Rapozo absent, there are certainly other people with the experience and capability to be the Chair but Mr. Furfaro works, and he worked really hard in the last two (2) years. I think it is appropriate for him to be our leader.

Mr. Furfaro: Thank you very much Mr. Bynum and for those kind words.

Ms. Nakamura: I will be supporting your nomination as Chair, primarily for the work that you have done to address some of the personnel issues within the Council, to develop performance reviews, to work on appraisals, and to reorganize the organization. I appreciate the work that you have done to guide our discussions and address some of the crisis situations that have come up. I appreciate your hard work and dedication.

Mr. Kagawa: I will be supporting you, Mr. Chair. Your knowledge in the budget... extensive knowledge with the budget. You are very important to us now in our critical time. All governments everywhere are facing a tough economy and we need to be on the ball when it comes to our budget. I look to your great leadership this year.

Mr. Furfaro: Thank you everyone for those kind words. Leadership is primarily about modeling the way but I also want to share with you that it is also about making improvements. I have room for improvement that I will focus on and I appreciate the feedback over the last two (2) years that you folks have given me and most recently when we went through some difficult times. Thank you very much for that nomination.

The motion to nominate Jay Furfaro as the Council Chair for the 2012-2014 term was then put, and carried by the following vote:

FOR JAY FURFARO:	Bynum, Hooser, Kagawa, Nakamura, Yukimura, Furfaro	TOTAL – 6,
AGAINST JAY FURFARO:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapozo	TOTAL – 1.

Mr. Furfaro: The next item on our agenda is the selection of the Council Vice Chair for the 2012-2014 term.

Mr. Bynum moved to nominate JoAnn A. Yukimura as Council Vice Chair.

Mr. Kagawa moved to nominate Nadine K. Nakamura as Council Vice Chair.

Mr. Furfaro: Any further nominations? We have two (2) nominations on the floor and on that note, I would like to give members an opportunity to speak on the two (2) nominees and the nominees themselves.

Mr. Bynum: As I mentioned in my previous comments, there are a number of people here who are more than competent to act as Chair or Vice Chair. My nomination is for JoAnn because of her years of leadership. Because she is the current Vice Chair, I could not think of a reason why we would need to make a change, although I believe Councilmember Nakamura would be very competent in that role as well.

Mr. Kagawa: There is no doubt that Councilmember Yukimura has led us... our County in various ways. She has been our Mayor, and Vice Chair for many years and I just feel like she has done a lot leading our County and it would be nice if we can have somebody new to step up in that role and give them some experience as we head to our future. No disrespect to Councilmember Yukimura, I know she always does a great job because she puts in a lot of time and her heart and soul is always in whatever she does, but in this term, I would like to see our top vote getter have a chance at a leadership position. I know she will do a great job if she is elected.

Ms. Yukimura: I was just wondering... I just want to ask a question of Councilmember Nakamura, whether she is interested in the position?

Ms. Nakamura: I have not sought this position out and most of you know that but when asked, I thought about it and I would serve if the majority feels that they would like me to serve. I have tried over the past term to try to contribute to the body, not to just act individually but to think about the body as a whole in doing our strategic planning sessions, in the hiring of our new County Clerk, developing questions for that process, in looking at how to raise the bar and the information and timeliness of information that we receive from the

Administration and the County Attorney's Office so that we can make better decisions here. I would consider it an honor to serve and if that is the will of this body, it will be honor to serve and if not, I am happy to also serve as a Councilmember. Both ways works for me.

Ms. Yukimura: I am interested in the position of Vice Chair. I feel that I have performed in that role. I bring a great deal of experience both in the parliamentary process, as well as just in the breadth of government experience and operations. I am glad that Councilmember Nakamura is interested too because I do believe that it should be a process – an open process which... allows all of us that are interested in the position, though I wish I could have been told that beforehand. Everytime that I have been elected to the County Council, this has been a full-time job for me. I have dedicated my full time, time and a half or more to the issues of the Council and I feel that... actually whether you are in a position as an Officer or as a Councilmember, the job really requires full-time attention. I do plan in this term to put forth that kind of commitment of time and energy. I have tried to be a good support to the Chair in representing the Council when he has not been able to. I have also been very actively involved in the organization of Staff and in the issues of the selection of the Clerk and the professionalization of the processes here at the Council. In fact, I have been so grateful for the Chair's leadership and for the willingness of Councilmembers in this term to really improve our processes and make them more professional, and in setting a model that way, I think I have been an advocate and active participant in trying to do that. In all these ways, I would like to contribute in this position as Vice Chair. I put this forth as my offering to serve in that position.

Mr. Kagawa: If I could add another thing. I think it is okay that we disclose Councilmember Rapozo's E-mail this morning. He missed his standby flight last night and he wanted to support Councilmember Nakamura for the Vice Chair position. He plans, if we have a tie, he plans on voting for her. I do not know if we can take that into consideration.

Mr. Furfaro: Again, as Mr. Hooser indicated this is a "straw vote" of where we are at. Mr. Hooser, did you want to say anything at this time?

Mr. Hooser: I will wait for the vote.

Mr. Furfaro: I guess what I want to say... I am coming from a different perspective here. I have to tell you, I have never seen a woman with the kind of courage that JoAnn has to lead this community in both popular and unpopular issues. In my ten (10) years on the Council, I have become very respectful of her contribution and she has been a great steward of our island government but I am looking at this from a different perspective in the sense that

this is my last term, and I will be leaving at the end of these two (2) years. I look at leadership also as an investment and an investment of Councilmember Nakamura brings us to a point that we have done exactly that. No question about the years of leadership from Councilmember-Elect Yukimura, she has participated in some very, very important issues for our County and a lot of the contributions of our community are the results of her investment as a Vice Chair, Mayor... but it is that – an investment. The Vice Chair position to me is an investment for the next term as well. It is an investment in future leadership. You have to have a pool of personnel available and for that reason, and I want to make sure I am very clear, a great admiration for Vice Chair Yukimura, but my vote will be reflective of an investment of future continuity. I believe this first go around, I will find myself committed to that philosophy and support Councilmember-Elect Nakamura. Is there any further dialogue? I will call for the vote then. We will do Councilmember Yukimura roll call vote first, and then Councilmember Nakamura.

Ms. Yukimura: I think the process is to just vote like you do... how many votes in favor of...

Mr. Furfaro: You would like when we come around the table to actually have a name given for the vote?

Ms. Yukimura: You can do that.

The motion to nominate JoAnn A. Yukimura and Nadine K. Nakamura as Council Vice Chair for the 2012-2014 term was then put, and carried by the following vote:

FOR JOANN A. YUKIMURA:	Bynum, Hooser, Yukimura	TOTAL – 3,
FOR NADINE K. NAKAMURA:	Kagawa, Nakamura, Furfaro	TOTAL – 3,
EXCUSE & NOT VOTING:	Rapozo	TOTAL – 1.

Mr. Furfaro: We have no decision and again I want to say to both ladies, we are very fortunate to have both of you on the Council. I wanted to make that very clear, my vote reflects investing in future leadership as well and not just this term. We have no decision on the Vice Chair. The next business will be the assignment of Committees. I would like to first do a presentation about the new Committee makeup (*which is attached hereto as Attachment 1*).

3. Assignment of Committee Chairs, Committee Vice Chairs, & Committee Members for the 2012-2014 Council term.

Ms. Fountain-Tanigawa: These are the proposed Committees. The first would be the Committee on Planning consisting of five (5) voting members and two (2) ex-officio members. The Planning Committee shall consider all matters pertaining to land use, the General Plan, zoning, shoreline protection, subdivision

controls, environmental concerns, historic preservation, and budget amendment requests and legislation relating to the Committee.

The second Committee is on Housing / Transportation consisting of five (5) voting members and two (2) ex-officio members. The Housing / Transportation Committee shall consider all matters pertaining to housing, public transportation, and budget amendment requests and legislation relating to the Committee.

The third Committee is a Committee on Environmental Services / Public Safety / Community Assistance consisting on five (5) voting members and two (2) ex-officio members. The Environmental Services / Public Safety / Community Assistance Committee shall consider all matters pertaining to Solid Waste, Wastewater, environmental issues, Police, Fire, Office of the Prosecuting Attorney, Civil Defense, liquor control, legal issues relating to public safety, and budget amendment requests and legislation relating to the Committee.

The fourth Committee is a Committee on Public Works / Parks & Recreation consisting of five (5) voting members and two (2) ex-officio members. The Public Works / Parks & Recreation Committee shall consider all matters pertaining to highways and roads, utilities, water development, buildings under the jurisdiction of the County, baseyard, parks, beaches, recreational areas, stadiums, Neighborhood Centers, Kaua'i War Memorial Conventional Hall and the services provide and initiation of recreation programs and events, youth and elderly recreational programs, and budget amendment requests and legislation relating to the Committee.

The fifth Committee is a Committee on Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations consisting of five (5) voting members and two (2) ex-officio members. The Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee shall consider all matters relating to Economic Development Sustainability programs and initiatives as it relates to sustainable agriculture, food, and energy, including conservation programs where appropriate, as well as Constitutional changes, Federal and State programs and legislation, the Hawai'i State Association of Counties (HSAC), the National Association of Counties (NACo), and budget amendment requests and legislation relating to the Committee.

The sixth Committee is Committee on Finance / Economic Development (Tourism / Visitor Industry / Small Business Development / Sports and Recreation Development / and other Economic Development Areas) Committee shall consider all matters pertaining to finances, revenues, taxes, real property tax, as well as Economic Development issues relating to tourism, the visitor industry, military, small business development, employment, sports and recreation development, culture and the arts development, economic development promotional efforts, and

other economic development areas, and budget amendment requests and legislation relating to the Committee.

The seventh Committee is a Committee of the Whole consisting of all members of the Council. The Committee of the Whole shall consider all matters pertaining to establishment of new committees, policies of the Council, goals and objectives of the Council and its Committees, rules of the Council, screen questions of ethics, internal matters dealing with the Council and the Clerk's Office, Charter Amendments, preparation of the annual County Operating and Capital Improvement Projects (CIP) budgets, all issues involving the Office of the County Auditor, the Department of Personnel Services, human resources, elderly affairs... excuse me, elderly affairs is not in that Committee... I apologize... and appointments to Boards and Commissions, and budget amendment request and legislation relating to the Committee.

Mr. Furfaro: For the Clerk's Office, I do want to make sure that we do have Sub-Committees that we developed last year; a three (3) member Rules Committee, a three (3) member HR Committee, and an Audit Committee. Those Sub-Committees will be organized when we have our first Committee Meeting.

Mr. Fountain-Tanigawa: Those Sub-Committee's pursuant to the direct Council Rules will be established in a Council Resolution.

Mr. Furfaro: Yes.

Ms. Fountain-Tanigawa: I just wanted to make a note that Elderly Affairs will be part of Committee number three (3), the Committee on Environmental Services / Public Safety / Community Assistance.

Mr. Furfaro: So note that change. By Resolution the Adhoc Committee on Audit, HR, and Rules will be drafted and introduced after we are actually in office. Discussion about the Committees?

Mr. Bynum: Chair, I have a... it is a little bit out of order but I think for the sake of having a fruitful discussion going forward. I have a rules amendment that would impact these choices, may I address that now?

Mr. Furfaro: Yes, you certainly can address that but I do want to make sure that this Committee will really not have any authority until December...

Mr. Bynum: I understand that. When we organize our Committees and we have five (5) member Committees with ex-officios, I believe this

has been awkward and it is playing out and we have discussed in the past another alternatives that other communities have used which is making all members – members of every Committee. To me it takes out the awkwardness of “I am not a voting member on this Committee, what order you speak in.” It has the advantage in my opinion of having the Chair... it actually increases the power of the Chair to some extent, making him an equal participant in Committees. Because of the way we are structured where each of us are... unlike other Counties that have Committees that meet on separate days, we will continue to I assume to have Committee, Council, Committee, Council – we are all present at all of these meetings, and I think it is logical to have us all be participating members. I would really like to put that out there and see if there is support for it. That will change the discussion about who is not on the Committee or who is Vice Chair or that kind of thing. I would like to have a discussion about that now.

Mr. Furfaro: For the new Members, we can have that discussion. This past term, the Adhoc Committees where I was the Chair of Audit with the Vice Chair and Finance. Mr. Bynum was the Chair of Rules?

Ms. Yukimura: I was the Chair of Rules.

Mr. Furfaro: Mr. Bynum was the Chair of Human Resources.

Mr. Bynum: Mr. Chair, I am speaking about the Committee structure.

Mr. Furfaro: Yes, I understand that. I am giving clarity for Mr. Kagawa and Mr. Hooser who may not be familiar with these Sub-Committees that come later.

Mr. Bynum: I think the way we structure today would be dependent on... I think this is the right time to speak about it.

Mr. Furfaro: I do not disagree with that. This body has no authority until...

Mr. Bynum: Yes, we will finalize it on Inaugural Day if that is the consensus of the body. I just wanted to send that out to my colleagues that I believe the efficient way to deal with this – to keep the Chair fully engaged in Committee discussions and not as an ex-officio and each of us fully engaged. There is an OIP reason why we have ex-officio's because of an opinion that says, if you are not on a Committee, you cannot be present. We had two (2) options at the time. Some Counties went with making members on each Committee, other Counties went with making ex-officios so at least you can be present and participate. No

decisions get made on Committee, only recommendations. I just think it would be more efficient and put us on an equal footing if we were all Members of each Committee. We still would have Chairs and Vice Chairs, so I hope that is something that a majority could support.

Mr. Furfaro: Any comments of Mr. Bynum's suggestion for the upcoming Rules Committee?

Ms. Yukimura moved that Council arrange the Committees so that all members are members of each Committee, seconded by Mr. Bynum.

Mr. Furfaro: I want to get a point of clarification, we can do that for the purpose of changing everyone that is an ex-officio for this discussion and vote on it as such. It is a straw vote that we will get confirmation on December 3, 2012. Does everyone understand that motion?

Ms. Yukimura: We do not even know yet what all the Committee's will be. We have a proposal before us but...

Mr. Furfaro: JoAnn that I what I am trying to say here... I do not mean to interrupt, but we cannot change anything that exists now with this body. This body has no authority until December 3.

Ms. Yukimura: We have no authority to do anything but I think we are trying to...

Mr. Furfaro: I understand that. What Mr. Bynum, I think is trying to do is change this sheet before we talk about it. Is that what you are trying to do?

Mr. Bynum: Seeing whatever Committee structure we come up with, each member is a voting member on each Committee. How we rearrange this would not change that, so much. It would probably simplify this coming decision on this.

Mr. Furfaro: Would members mind if I took a recess for right now?

There being no objections, the Meeting recessed at 10:16 a.m.

There being no objections, the meeting was called back to order at 10:24 a.m., and proceeded as follows:

Mr. Bynum: I was hoping that we can have a straw vote on this proposal and let the cards fall where they may.

Ms. Yukimura: The Clerk has explained to me that if we had all Members of the Committee – of the Council being part of every Committee, it is like having a Council Meeting every time. It is not really efficient and it is somewhat duplicative. I already think it is pretty cumbersome and sometimes I have felt like... sometimes where there is overlapping of jurisdiction. We should have joint Committees as a way to address some of the work. I do see the point that it is somewhat repetitive.

Mr. Bynum: I just want to respectfully disagree with the Clerk, he has made his opinion known every time it has come up in the past. I do not see it at all like a Committee, like another Council Meeting because there is a different Chair and Vice Chair that is doing the proceedings. It keeps the Chair involved in Committee discussions and I see a very positive outcome of that. I respectfully disagree that it is the same as having a Council Meeting every time. All of the structures that we have... that it comes to Council for first reading, then Committee that amends... most amendments are dealt with at Committee - it would even improve that in instances because if you were a ex-officio and you wanted to do an amendment, you had to wait often until it came back to Council. I still believe that it is more efficient, less cumbersome, and has some advantages.

Ms. Nakamura: I think I am going to... first I was going to support this because we are sitting in most of the meetings anyway, but I do see the Clerk's concerns and what I have done as an ex-officio in some cases and if I had an amendment that I wanted to introduce, was just have another Committee Member introduce that amendment so that it could be dealt with at the Committee level. I have been able to work around that. I think it gives the Chair the flexibility to participate or not to participate because of the other demands of the position. I think the detailed work can be done with that group and sometimes we do not have a quorum – we just barely make that quorum. I am also concerned about delaying things, if we do not have anyone here. I change my thinking about this... and so, I will not be supporting this.

Mr. Furfaro: I too want to comment some of the points that Councilmember Nakamura just mentioned. I also want to share that if it is a seven (7) member Committee, that also changes the quorum. That means, we cannot work in a group of three (3), but now you will need to work in a group of four (4). I appreciate Mr. Bynum's comments about the Chair being involved in all of those pieces but I am usually here and hold off to speak towards the end. Not being able to participate, I wanted to let you know that with my vote at the Committee level, it has its pros and cons but I can live with the particular situation that we have now, and let the work be done in the Committees. I will not be supporting this.

Mr. Kagawa: I looked at this and I just thought about all the work that goes into the budget and I know that you have dedicated your time in trying to make sure that the Council spends wisely, saves wisely, and keeps track of our finances. It allows the Chair to spend the time that he needs to during Committee time in doing those things. I think if an issue is important as an ex-officio member, we can sit in there and we can be involved, I think we can get the same job done. If this does not pass, I will be willing to switch places with Councilmember Bynum in getting him on one (1) of the Committees that he wants to be on and that is my way of trying to say that we still want to keep working together and in letting everybody have the most... that we can, what they want. Thank you.

Ms. Yukimura: Just a point of clarification. With the vote that is pending, we are just voting on whether members will be all seven (7) or just five (5), right? And then we will have a chance to discuss Committee arrangements?

Mr. Furfaro: Yes, we are going to Committee's next.

Mr. Bynum: In line that has been somewhat famous around here, "I can count," and I am willing to withdraw this motion. I appreciate the Committee giving it consideration.

Ms. Yukimura withdrew the motion that Council arrange the Committees so that all members are members of each Committee, Mr. Bynum withdrew his second.

Mr. Furfaro: We will go to the next particular item on our agenda today which is actually... the straw vote here to approve the Committees as read to us.

Ms. Yukimura: Chair, we have some discussion.

Mr. Furfaro: Yes.

Ms. Yukimura: In the description of the proposed Committees, I see environmental concerns mentioned both in Planning and in Environmental Services. I am just wondering how that would be divided out?

Mr. Furfaro: We want more clarity in the Planning area as it relates to a project or zoning approval and the question about environmental concerns for that particular project. I think that was the intent as it related to that zoning issue. Can we clarify that?

Ms. Fountain-Tanigawa: Currently in the Committee on Planning it states, "subdivision controls, environmental concerns..." and Councilmember-Elect was referring to Committee number three (3) Environmental Services / Public Safety / Community Assistance which states "Wastewater, environmental issues." If you would like to discuss environmental concerns and issues.

Mr. Furfaro: If we would like to discuss environmental issues as it relates to Committee number three (3) versus the Planning Committee. Solid Waste and Wastewater are certainly environmental issues.

Ms. Yukimura: Yes. Environmental issues as related to Wastewater would already be covered under Wastewater. I guess issues like the Coqui Frogs, conservation issues...

Mr. Furfaro: That is under Sustainability – Committee six (6).

Ms. Yukimura: Okay. I am thinking that we might delete it from Committee three (3).

Mr. Furfaro: Okay. To the Clerk's Office, do you hear what the Members are saying?

Ms. Fountain-Tanigawa: The discussion is to delete the statement, "environmental issues" listed in Committee number three (3), "environmental concerns" will be still kept in Planning, is my understanding.

Mr. Furfaro: Yes, that narrative will stay in Planning and that narrative in Committee number three (3) after Solid Waste, and Wastewater – it is already clear that those two (2) subject items deal with waste and deal with potential wastewater issues. That is why we suggest "environmental" out of the narrative – out of the title. Issues that may deal with agricultural items such as bees, Coqui Frogs and so forth would remain in Committee six (6), that is what the reference is for. Any other comments? Okay, we are striking "environmental services" in the narrative for Committee number three (3). Further discussions, members?

Mr. Bynum: Regarding the ex-officio members, last time I was an ex-officio on the Housing and Transportation Committee and in this list...

Mr. Furfaro: Excuse me, we are not dealing with that one yet. We are still voting on the definition of the Committee's.

Mr. Bynum: In each of these Committee's there is a line that says, "budget amendment requests and legislation relating to the Committee." I believe that budget amendment requests are Money Bills that traditionally are heard in Finance. During the last term, some of them were heard in Finance and some were in the Committee of the Whole and I think it should be consistent that Money Bills are a Finance issue. I request the Committee to look at whether the Money Bills should remain in Finance as they have traditionally.

Mr. Furfaro: Within area Committee six (6), the budget amendment requests and legislation relating to those Committees, those Bills should go through you?

Mr. Bynum: I believe...

Mr. Furfaro: If that is the current Committee, that is what you are saying?

Mr. Bynum: I am saying that it is a long tradition that this Council – that Money Bills are handled in Finance.

Mr. Furfaro: How is it currently read with these other Committees? That is the current reading... okay. So, someone in Finance would see the Bills and they could be heard accordingly, but they can be initiated by the Chairman of the other Committees?

Mr. Bynum: That the Money Bills are initiated in the Committee and then goes to the Finance Committee for deliberation.

Mr. Furfaro: Jade, would you explain that to us?

Ms. Fountain-Tanigawa: I am sorry.

Mr. Furfaro: We are dealing with this terminology that is in the current Committees that it makes reference at the end of all Committees that "budget amendment requests and legislation relating to the Committee," so if it is related to Planning then that is heard in Planning. Mr. Bynum's approach, I think, is that all these Money Bills should be heard in the Finance Committee.

Ms. Fountain-Tanigawa: Just so that I am clear, Councilmember-Elect Bynum for example, in Planning if there is a new position for a new Planner being proposed as a Money Bill, you would see that position in that Money Bill being referred to your Committee versus the Planning Committee?

Mr. Bynum: It would be initiated in Planning but referred to Finance for deliberation.

Ms. Fountain-Tanigawa: That is my question.

Mr. Bynum: I do not know if she is asking me a question or if she is informing me.

Ms. Fountain-Tanigawa: My question was, as an example, in Planning if there is a request for a Planner for thirty thousand dollars, for example, and it is a Money Bill which amends the budget, do you see it as... or is your question that those budget amendments or those types of budget amendments be referred to the Finance Committee or the Planning Committee? In the normal course of things, because it was a Planner relating to Planning, we would have referred that to the Planning Committee. But if I understand you, you are saying Money Bills should be funneled to the Finance Committee.

Mr. Bynum: That is my understanding, that is how it has primarily been over the six (6) years I have been here. If I am misunderstanding something, I do not know what it is and maybe Councilmember Yukimura has some input.

Ms. Yukimura: It is my understanding that anyone can initiate a budget amendment. Sometimes it will come out of Committee because the Committee, for example, I will be concerned about the financing of the bus on a long-term basis and that will be one (1) of my goals for my Committee. I think at the Legislature and elsewhere, amendments to the budget go to one (1) Committee and maybe Councilmember-Elect Hooser can help us or it is a dual referral of some sort. The Finance Committee which has to address all of the issues of the budget and has to reconcile the balancing of the budget sort to speak usually is the one that gets the Bills. It is the logical place to get the Bills. I remember this came up and I thought that we had agreed last time that it would go through Finance but among the first times after our first meeting – assignments were made in other places and we did not really discuss that discrepancy.

Mr. Hooser: First thing that came up in my mind was the subject matter Committee would be dealing with the relevance and the context of it. In the Planner position, it might be what the Planner was going to do, what is needed, all of that... it could be for a study or special program in Transportation, Sustainability or Agriculture. The subject matter focus would be at the subject matter Committee and then the budget focus would be at the Finance Committee, is how my experience has been, but I have not served at the Council for six (6) years but that is the way my brain works, whether or not this goes to the dual Committees, joint Committee, double referral... Anyone of the Committees comes

out with a program or need for funding and to flush it out, I would think in that Committee, and then look toward the budget to see if there are moneys available. That is how I believe the discussion would go generally speaking because the Finance Committee would be focused on the budget and not as focused on the subject matter.

Mr. Bynum: The practice changed some in the last term. Some Bills went to Finance, some went to Committee of the Whole and the example I would use is that any Member might say, even if you are an ex-officio member, "we need to fund an ocean study in Po'ipū, I proposed that we fund this ocean study in Po'ipū." The content is going to be Committee based but that Money Bill that is a budget Bill should be handled in Finance. I believe that has been our practice most of the time I have been on the Council. That a Bill maybe initiated by any member, may be initiated in Committee but when it comes to looking at the "unappropriated surplus" or whatever we are calling it these days, or going into a Reserve Fund then it becomes a Finance issue. That is my understanding of the way it has been. I am arguing that that is a good idea. Again, it is up to the body.

Mr. Hooser: Just so I understand the process. For example, if it was a beach replenishment or sand for the beach... would that proposal be made in a separate Committee to determine whether or not it is a good idea, where the sand would go, and get consensus on that, and then take it to the Budget Committee? Does it have to all go...

Mr. Bynum: Historically...

Mr. Furfaro: First of all, I want to answer his question since he addressed me. We have the Budget Committee dealing with the budget in the Committee of the Whole. In Finance, we have in the description, "taxes, revenues, as well as matters pertaining to general finance, staff guides" and so forth which is in Finance. The budget that we are all referencing as an issue would be in the Committee of the Whole but when we are looking at the tax map key, tax increases, decreases, that would be in Finance. If we had someone in Planning that was looking to add a position, obviously the discussion would be in the Planning Committee and currently in the description we have – since that is the subject matter it stays in that Committee. Staff additions for the Planning Department, would have stayed in Planning.

Mr. Bynum: We are talking about when a Committee or a Member generates a Bill. The majority of these Bills come from the Administration. They say they want to move money from the General Fund into the Solid Waste Fund, or they have an initiative that they need funded. It might even be something that comes up in the course of the year – they need more money for drain cleaning because we had a lot of storms. I believe those should be handled

in Finance and not distributed to the particular Committee, I believe that has been the tradition, so my question is, what about Money Bills that come from the Administration.

Mr. Furfaro: I think you and I had a discussion, I have no problem with those things going to you. I think the Budget is the plan for the County going forward. If there are moneys to be amended for the purposes of taxes and so forth, that should be heard in the Finance Committee. If there are staffing issues which we really have not had a lot of...

Mr. Hooser: (Inaudible).

Mr. Furfaro: This is not a change from what we currently have.

Mr. Bynum: Funding Bills that come from the Administration would be handled in the Finance Committee?

Mr. Furfaro: Yes.

Mr. Bynum: With that clarification, I am good.

Ms. Yukimura: We should state that in the text in the Finance – the description.

Mr. Furfaro: You would like something to say, “in the year, for the year new Money Bills should be heard in Finance.”

Ms. Yukimura: I think the distinction was Money Bills that come from the Administration no matter what area they are in would be in Finance. We are saying that Money Bills that initiated by Councilmembers would go to subject matter Committee, is that the distinction?

Mr. Furfaro: That would stay in, yes.

Ms. Yukimura: So then... there would have to be an amendment in each of the last lines for each Committee?

Mr. Furfaro: Or just one (1) in Finance. I have the tendency to agree with Mr. Bynum that any Money Bills generated in the year for the year by the Administration go to Finance by request.

Ms. Yukimura: And every Committee say “budget amendment requests,” which could be interpreted to be...

Mr. Furfaro: But that is your Committee's request, not the Administration.

Ms. Yukimura: As long as there is some language that clarifies that because budget amendment requests are general.

Mr. Furfaro: Unless they are specifically from the Administration which is the verbiage.

Ms. Yukimura: Okay, that sounds good.

Mr. Furfaro: Any Finance and Budget requests generated by the Administration will be noted to go to Finance.

Ms. Fountain-Tanigawa: Did you also want to add "subject matter requests generated by individual Councilmembers will go the respective Committee?"

Mr. Furfaro: I think that would be appropriate. Are you okay with that Mr. Bynum? Yes?

Ms. Yukimura: I would just like to review the wording.

Mr. Furfaro: Okay, would you like to take a short recess?

Ms. Yukimura: Are we making the wording changes?

Mr. Furfaro: And voting on it, yes.

There being no objections, the Meeting recessed at 10:34 a.m.

There being no objections, the meeting was called back to order at 10:40 a.m., and proceeded as follows:

Mr. Furfaro: What we are putting in this statement here is the fact that any request (inaudible) understood that will go into Finance unless at first reading there is discussion on the table, such as Federal money coming available and we need a matching fund for a bus, that can be discussed at first reading and then be directed to the Transportation Department. Any money that we could and we never do receive such as the General Plan and so forth, it would be discussed at first reading but under the narrative that I am going to ask you to read, it is understood that those requests go to Finance. Could you read how we want to change that, please Jade.

Ms. Fountain-Tanigawa: For all Committees except for Committee number six (6) which is the Finance Committee, the last sentence would read, "and subject matter budget amendments generated by Councilmembers and legislation related to the Committee." That would be added to each Committee – the last sentence.

Mr. Furfaro: That would be added to each Committee?

Ms. Fountain-Tanigawa: Except for the Finance Committee. For the Finance Committee it would read, "legislation relating to the Committee and budget amendments introduced by the Administration..." excuse me... "budget amendments introduced by the Administration no matter what area would be referred to the Finance Committee."

Mr. Furfaro: I am sorry to do this but I think we should go into recess.

There being no objections, the Meeting recessed at 10:45 a.m.

There being no objections, the meeting was called back to order at 11:00 a.m., and proceeded as follows:

Mr. Furfaro: As we come back from this break, Jade, I will let you read the verbiage.

Ms. Fountain-Tanigawa: For the Finance Committee – that last sentence will read, "legislation related to the Committee or subject matter budget amendments generated by Councilmembers and budget amendments initiated by the Administration." All of those items will be referred to the Finance Committee.

Mr. Furfaro: Comments?

Ms. Yukimura: Can you also read what the sentences will be at the end of each Committee?

Ms. Fountain-Tanigawa: Sure. For each Committee the amended sentence would read, "and subject matter budget amendments generated by Councilmembers and legislation relating to the Committee."

Ms. Yukimura: Under Finance, there would be "and" rather than "or" too? They would all be connected with "and," right?

Ms. Fountain-Tanigawa: Yes.

Ms. Yukimura:

Okay, thank you.

Ms. Nakamura moved to amend the Proposed Committee's language as circulated, as shown in the Floor Amendment which is attached hereto as Attachment 2, seconded by Ms. Yukimura, and carried by the following vote:

FOR AMENDMENT:	Bynum, Hooser, Kagawa, Nakamura, Yukimura, Furfaro	TOTAL – 6,
AGAINST AMENDMENT:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapozo	TOTAL – 1.

Mr. Furfaro: The next business is the makeup of the Committees. Members, we have circulated to you the Committee pieces (*which is attached hereto as Attachment 3*). Glenn, they are right there on the table, right in front of the chair. I want to make a special note over here, Mr. Bynum has two (2) Committee Vice Chair's as I was assigned as the Vice Chair for Parks & Recreation and I felt that he was much closer in the way of historical data and process on the bikepath and therefore I gave up any chance of having the Vice Chair of any Committee. That is what I practiced this year for you new members. I just wanted to point that out that there two (2) Vice Chair's for Mr. Bynum which I have no problem.

Mr. Bynum: I am feeling like we are very close here but I am wondering if we might take a recess because I see a couple little changes that might be a win-win for several people and if I can check that out with them.

There being no objections, the Meeting recessed at 10:45 a.m.

There being no objections, the meeting was called back to order, and proceeded as follows:

Mr. Furfaro: We are into the organization of the Committee. I want to take them ad seriatim as we go one (1) Committee at a time. We will put them up on the screen as we go through them.

Mr. Bynum: I have one (1) suggested change and I believe there is a consensus. If I am wrong, we will find out in a minute. You just announced that I was going to Vice Chair two (2) Committees.

Mr. Furfaro:

Yes.

Mr. Bynum: What I am proposing is that Mr. Kagawa Vice Chair the Environmental Services Committee instead of me and that

Councilmember Nakamura Vice Chair the Finance / Economic Development Committee (*which is attached hereto as Attachment 4*). That way the Councilmember who would have two (2) Vice Chair would be Councilmember Nakamura and I think because of her involvement for several years on Economic Development issues that are now split between two (2) Committees, that makes sense. If that is agreeable to... and Mr. Kagawa is nodding his head and Councilmember Nakamura, I think that would leave me as Vice Chair of Parks and Public Works which makes a lot of sense because I had that responsibility in the previous term. I can assist Mr. Kagawa in getting up to speed sort of speaking.

Mr. Furfaro: I see acknowledgements at this point from Mr. Kagawa as well as from Councilmember Nakamura. From our earlier conversation, I want to remind everybody that all members can participate as ex-officios, so your narrative and any clarity you would like to give or pose to the Committee, you can participate as an ex-officio. The first Committee is the Planning Committee currently Chaired by Councilmember Nakamura and Councilmember Nakamura, may I just ask you to read through and read the members of the Committee.

Ms. Nakamura: Planning Committee. JoAnn Yukimura will be Vice Chair, Tim Bynum – member, Ross Kagawa – member, Mel Rapozo – member, Gary Hooser – ex-officio, and Jay Furfaro – ex-officio.

Mr. Furfaro: Any comments here?

Mr. Kagawa moved to approve the organization of the Planning Committee, seconded by Mr. Bynum, and unanimously carried.

Ms. Yukimura: Housing & Transportation Committee. Gary Hooser will be the Vice Chair, Tim Bynum – member, Nadine Nakamura – member, Mel Rapozo – member, Ross Kagawa and Jay Furfaro – ex-officio members.

Mr. Bynum moved to approve the organization of the Housing & Transportation Committee, seconded by Ms. Nakamura, and unanimously carried.

Mr. Kagawa: Environmental Services / Public Safety / Community Assistance Committee. Mel Rapozo is the Chair, I will be the Vice Chair, Gary Hooser – member, JoAnn Yukimura – member, Tim Bynum – member, Nadine Nakamura and Jay Furfaro – ex-officio members.

Mr. Bynum moved to approve the organization of the Environmental Services / Public Safety / Community Assistance Committee, seconded by Ms. Nakamura, and unanimously carried.

Mr. Kagawa: Public Works / Parks & Recreation Committee. Mr. Bynum will be my Vice Chair, Gary Hooser – member, Nadine Nakamura – member, JoAnn Yukimura – member, and Mel Rapozo and Jay Furfaro – ex-officio members.

Ms. Nakamura moved to approve the organization of the Public Works / Parks & Recreation Committee, seconded by Ms. Yukimura, and unanimously carried.

Mr. Hooser: Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee. I will be Chair, Nadine Nakamura – Vice Chair, Ross Kagawa – member, Mel Rapozo – member, JoAnn Yukimura – member, Tim Bynum and Jay Furfaro – ex-officio members.

Ms. Nakamura moved to approve the organization of the Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee, seconded by Ms. Nakamura, and unanimously carried.

Mr. Bynum: Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee. Nadine Nakamura – Vice Chair, Gary Hooser – member, Ross Kagawa – member, Mel Rapozo – member, JoAnn Yukimura and Jay Furfaro – ex-officio members.

Mr. Kagawa moved to approve the organization of the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee, seconded by Ms. Nakamura, and unanimously carried.

Mr. Furfaro: Committee of the Whole. Chaired by myself, Vice Chair – Mel Rapozo and all members of the Council would be on this Committee.

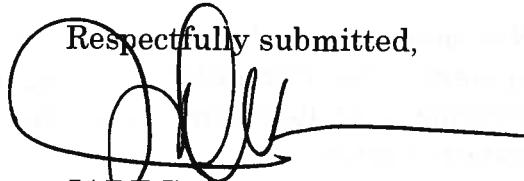
Mr. Kagawa moved to approve the organization of the Committee of the Whole, seconded by Ms. Nakamura, and unanimously carried.

Mr. Furfaro: Members, thank you very much, our Committee's are resolved. We have three (3) Sub-Committees that we have talked about earlier – HR (Human Resource), Council Rules, and Audit which will be decided by action of the Council when they are sworn in. I also want to remind everyone that we have NACo, HSAC, and WIR representatives yet to determine, but we have some members that are currently on those Committees until June of

next year when those terms end. We will have that discussion. Again, by our rules... Chair, Vice Chair, Finance and then the Planning Chair in that order of replacing person during absences. I also want to let us know that we do have to resolve some current seating arrangements and we will do that by memorandum of seniority and I will be passing it around but there is not too much of a change there. We have seniority in three (3) ways – consecutive terms on the Council, followed by level two (2) which is all combined elected terms and then followed by level three (3) which actually is used by the benefit portion of seniority. On that note, a reminder to all members – Council-Elect that you all have a filing deadline with the Campaign Spending Commission before December 3, so that you can be sworn in. On that note, I want to thank everyone and welcome the new members, and adjourn this Organizational Meeting.

There being no further business, the meeting was adjourned at 11:09 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jade K. Fountain-Tanigawa', with a long horizontal flourish extending to the right.

JADE K. FOUNTAIN-TANIGAWA
Deputy County Clerk

:ds

**PROPOSED
COMMITTEES**

(1) **A Committee on Planning** consisting of five (5) voting members and two (2) ex-officio members. The Planning Committee shall consider all matters pertaining to land use, the General Plan, zoning, shoreline protection, subdivision controls, **environmental concerns**, historic preservation, and budget amendment requests and legislation relating to the Committee.

(2) **A Committee on Housing / Transportation** consisting of five (5) voting members and two (2) ex-officio members. The Housing / Transportation Committee shall consider all matters pertaining to housing, public transportation, and budget amendment requests and legislation relating to the Committee.

(3) **A Committee on Environmental Services /Public Safety/ Community Assistance Committee** consisting of five (5) voting members and two (2) ex-officio members. The Environmental Services / Public Safety/Community Assistance Committee shall consider all matters pertaining to Solid Waste, Wastewater, **environmental issues**, Police, Fire, Office of the Prosecuting Attorney, Civil Defense, liquor control, legal issues relating to public safety, and budget amendment requests and legislation relating to the Committee.

(4) **A Committee on Public Works / Parks & Recreation** consisting of five (5) voting members and two (2) ex-officio members. The Public Works / Parks & Recreation Committee shall consider all matters pertaining to highways and roads, utilities, water development, buildings under the jurisdiction of the County, baseyards, parks, beaches, recreational areas, stadiums, Neighborhood Centers, Kaua'i War Memorial Convention Hall and the services provided, all recreational facilities, Wailua Golf Course, promotion and initiation of recreational programs and events, youth and elderly recreational programs, and budget amendment requests and legislation relating to the Committee.

(5) **A Committee on Economic Development (Sustainability/ Agriculture / Food / Energy) & Intergovernmental Relations** consisting of five (5) voting members and two (2) ex-officio members. The Economic Development (Sustainability / Agriculture/ Food/ Energy) Intergovernmental Relations Committee shall consider all matters relating to Economic Development Sustainability programs and initiatives as it relates to sustainable agriculture, food, and energy, including conservation programs where appropriate, as well as Constitutional changes, Federal and State programs and legislation, the Hawai'i State Association of Counties (HSAC), the National Association of Counties (NACo), and budget amendment requests and legislation relating to the Committee.

(6) **A Committee on Finance / Economic Development (Tourism / Visitor Industry / Small Business Development / Sports and Recreation Development/ Other Economic Development Areas)** consisting of five (5) voting members and two (2) ex-officio members. The Finance / Economic Development (Tourism /Visitor Industry/ Small Business Development/ Sports and Recreation Development/ And Other Economic Development Areas) Committee shall consider all matters pertaining to finances, revenues, taxes, real property tax, as well as Economic Development issues relating to tourism, the visitor industry, military, small business development, employment, sports and recreation development, culture and the arts development, economic development promotional efforts, and other economic development areas, and budget amendment requests and legislation relating to the Committee.

(7) **A Committee of the Whole** consisting of all members of the Council. The Committee of the Whole shall consider all matters pertaining to establishment of new committees, policies of the Council, goals and objectives of the Council and its Committees, rules of the Council, screen questions of ethics, internal matters dealing with the Council and the Clerk's office, charter amendments, preparation of the annual County Operating and Capital Improvement Projects (CIP) budgets, all issues involving the Office of the County Auditor, the Department of Personnel Services, human resources, elderly affairs, appointments to boards and commissions, and budget amendment requests and legislation relating to the Committee.

PROPOSED COMMITTEES

(1) **A Committee on Planning** consisting of five (5) voting members and two (2) ex-officio members. The Planning Committee shall consider all matters pertaining to land use, the General Plan, zoning, shoreline protection, subdivision controls, environmental concerns, historic preservation, subject matter budget amendments generated by Councilmembers and legislation relating to the Committee.

(2) **A Committee on Housing & Transportation** consisting of five (5) voting members and two (2) ex-officio members. The Housing & Transportation Committee shall consider all matters pertaining to housing, public transportation, subject matter budget amendments generated by Councilmembers and legislation relating to the Committee.

(3) **A Committee on Environmental Services / Public Safety / Community Assistance Committee** consisting of five (5) voting members and two (2) ex-officio members. The Environmental Services / Public Safety / Community Assistance Committee shall consider all matters pertaining to Solid Waste, Wastewater, Police, Fire, the Office of the Prosecuting Attorney, Civil Defense, Elderly Affairs, liquor control, legal issues relating to public safety, subject matter budget amendments generated by Councilmembers and legislation relating to the Committee.

(4) **A Committee on Public Works / Parks & Recreation** consisting of five (5) voting members and two (2) ex-officio members. The Public Works / Parks & Recreation Committee shall consider all matters pertaining to highways and roads, utilities, water development, buildings under the jurisdiction of the County, baseyards, parks, beaches, recreational areas, stadiums, Neighborhood Centers, Kaua'i War Memorial Convention Hall and the services provided, all recreational facilities, Wailua Golf Course, promotion and initiation of recreational programs and events, youth and elderly recreational programs, subject matter budget amendments generated by Councilmembers and legislation relating to the Committee.

(5) **A Committee on Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations** consisting of five (5) voting members and two (2) ex-officio members. The Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee shall consider all matters relating to Economic Development Sustainability programs and initiatives as it relates to sustainable agriculture, food, and energy, including conservation programs where appropriate, as well as Constitutional changes, Federal and State programs and legislation, the Hawai'i

State Association of Counties (HSAC), the National Association of Counties (NACo), subject matter budget amendments generated by Councilmembers and legislation relating to the Committee.

(6) **A Committee on Finance / Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development/ Other Economic Development Areas)** consisting of five (5) voting members and two (2) ex-officio members. The Finance / Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee shall consider all matters pertaining to finances, revenues, taxes, real property tax, as well as Economic Development issues relating to tourism, the visitor industry, military, small business development, employment, sports and recreation development, culture and the arts development, economic development promotional efforts, and other economic development areas, subject matter budget amendments generated by Councilmembers, budget amendments initiated by the Administration, and legislation relating to the Committee.

(7) **A Committee of the Whole** consisting of all members of the Council. The Committee of the Whole shall consider all matters pertaining to establishment of new committees, policies of the Council, goals and objectives of the Council and its Committees, rules of the Council, screen questions of ethics, internal matters dealing with the Council and the Clerk's office, charter amendments, preparation of the annual County Operating and Capital Improvement Projects (CIP) budgets, all issues involving the Office of the County Auditor, the Department of Personnel Service / Human Resources, appointments to boards and commissions, subject matter budget amendments generated by Councilmembers and legislation relating to the Committee.

**Council Chair Furfaro's
Recommended Slate
After Individual
Meetings with
Members-Elect**

PLANNING COMMITTEE
Nadine K. Nakamura, Chair
JoAnn A. Yukimura, Vice Chair
Tim Bynum, Member
Ross Kagawa, Member
Mel Rapozo, Member
Gary L. Hooser, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

Attachment 3

HOUSING & TRANSPORTATION COMMITTEE

JoAnn A. Yukimura, Chair
Gary L. Hooser, Vice Chair
Tim Bynum, Member
Nadine K. Nakamura, Member
Mel Rapozo, Member
Ross Kagawa, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

**ENVIRONMENTAL SERVICES / PUBLIC SAFETY /
COMMUNITY ASSISTANCE COMMITTEE**

Mel Rapozo, Chair
Tim Bynum, Vice Chair
Gary L. Hooser, Member
Ross Kagawa, Member
JoAnn A. Yukimura, Member
Nadine K. Nakamura, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

PUBLIC WORKS / PARKS & RECREATION COMMITTEE

Ross Kagawa, Chair
Tim Bynum, Vice Chair
Gary L. Hooser, Member
Nadine K. Nakamura, Member
JoAnn A. Yukimura, Member
Mel Rapozo, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

**ECONOMIC DEVELOPMENT (SUSTAINABILITY / AGRICULTURE / FOOD / ENERGY)
& INTERGOVERNMENTAL RELATIONS COMMITTEE**

Gary L. Hooser, Chair
Nadine K. Nakamura, Vice Chair
Ross Kagawa, Member
Mel Rapozo, Member
JoAnn A. Yukimura, Member
Tim Bynum, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

**FINANCE & ECONOMIC DEVELOPMENT (TOURISM / VISITOR INDUSTRY / SMALL
BUSINESS DEVELOPMENT / SPORTS & RECREATION DEVELOPMENT / OTHER
ECONOMIC DEVELOPMENT AREAS) COMMITTEE**

Tim Bynum, Chair
Ross Kagawa, Vice Chair
Gary Hooser, Member
Nadine K. Nakamura, Member
Mel Rapozo, Member
JoAnn A. Yukimura, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

COMMITTEE OF THE WHOLE

Jay Furfaro, Chair
Mel Rapozo, Vice Chair
Tim Bynum, Member
Gary L. Hooser, Member
Ross Kagawa, Member
Nadine K. Nakamura, Member
JoAnn A. Yukimura, Member

**For Adoption at
December 3, 2012
Inaugural meeting**

PLANNING COMMITTEE

Nadine K. Nakamura, Chair
JoAnn A. Yukimura, Vice Chair
Tim Bynum, Member
Ross Kagawa, Member
Mel Rapozo, Member
Gary L. Hooser, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

Attachment 4

HOUSING & TRANSPORTATION COMMITTEE

JoAnn A. Yukimura, Chair
Gary L. Hooser, Vice Chair
Tim Bynum, Member
Nadine K. Nakamura, Member
Mel Rapozo, Member
Ross Kagawa, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

**ENVIRONMENTAL SERVICES / PUBLIC SAFETY /
COMMUNITY ASSISTANCE COMMITTEE**

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Gary L. Hooser, Member
Tim Bynum, Member
JoAnn A. Yukimura, Member
Nadine K. Nakamura, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

PUBLIC WORKS / PARKS & RECREATION COMMITTEE

Ross Kagawa, Chair
Tim Bynum, Vice Chair
Gary L. Hooser, Member
Nadine K. Nakamura, Member
JoAnn A. Yukimura, Member
Mel Rapozo, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

**ECONOMIC DEVELOPMENT (SUSTAINABILITY / AGRICULTURE / FOOD / ENERGY)
& INTERGOVERNMENTAL RELATIONS COMMITTEE**

Gary L. Hooser, Chair
Nadine K. Nakamura, Vice Chair
Ross Kagawa, Member
Mel Rapozo, Member
JoAnn A. Yukimura, Member
Tim Bynum, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

**FINANCE & ECONOMIC DEVELOPMENT (TOURISM / VISITOR INDUSTRY / SMALL
BUSINESS DEVELOPMENT / SPORTS & RECREATION DEVELOPMENT / OTHER
ECONOMIC DEVELOPMENT AREAS) COMMITTEE**

Tim Bynum, Chair
Nadine K. Nakamura, Vice Chair
Gary Hooser, Member
Ross Kagawa, Member
Mel Rapozo, Member
JoAnn A. Yukimura, Ex-Officio Member
Jay Furfaro, Ex-Officio Member

COMMITTEE OF THE WHOLE

Jay Furfaro, Chair
Mel Rapozo, Vice Chair
Tim Bynum, Member
Gary L. Hooser, Member
Ross Kagawa, Member
Nadine K. Nakamura, Member
JoAnn A. Yukimura, Member

